

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION

IN RE:)
)
WILLIAM JOHN THOMAS,) CASE NO. 05-65311 JPK
) Chapter 7
Debtor.)

ORDER DENYING TRUSTEE'S MOTION FOR TURNOVER

On July 13, 2006, the Chapter 7 Trustee filed a Motion for Turnover directed to Perry Point Federal Credit Union with respect to a bank account apparently deemed by the Trustee to be held by that entity. Unfortunately, the caption used by the Trustee in the motion itself, in the notice of the motion, and in the proposed form of order designates the debtor as "Thomas, William Ward". There are two things wrong with this. First, the correct designation of the debtor is by the order of first name, middle name and surname. Secondly, this particular debtor, even if one were to adopt the surname – first terminology utilized by the Trustee, is "Thomas, William **John**". In seeking to obtain funds from an institution which holds property on behalf of designated individuals, it is absolutely essential that the correct name of the individual be utilized.

IT IS ORDERED that the above-designated motion is denied, without prejudice to the filing of a subsequent motion which conforms with applicable law and rules, including the proper designation of the name of the debtor and the correct ordering of the first name, middle name and surname of the debtor in the caption.

Dated at Hammond, Indiana on August 31, 2006.

/s/ J. Philip Klingeberger
J. Philip Klingeberger, Judge
United States Bankruptcy Court

Distribution:
Debtor, Attorney for Debtor
Trustee, US Trustee